

# MEMO ENDORSED

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February 4, 2008

Hon. Richard M. Berman  
United States District Judge  
Southern District of New York  
Daniel P. Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007-1312

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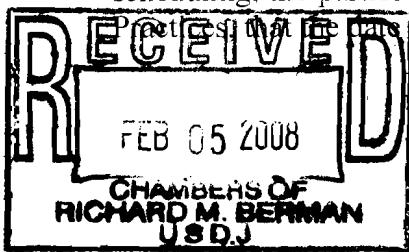
**Re: Caballero v. The City of New York, et al., 07 Civ. 6357 (RMB) (KNF)**

Dear Judge Berman:

Pursuant to ¶ 1 (E) of Your Honor's Individual Practices, the parties jointly request adjournment of the conference presently scheduled to take place before Your Honor in the above-referenced case on Wednesday, February 13, 2008, at 10:00 A.M. The reason for this request is that only two days earlier, on Monday, February 11 at 2:30 P.M., the parties are scheduled to appear before Magistrate Judge Kevin Nathaniel Fox for a settlement conference. If the parties are able to settle at the conference or shortly thereafter, there obviously will be no need for Your Honor to devote any additional court time to the case.

We therefore respectfully request that the next conference before Your Honor, should such a conference be necessary, be adjourned to March 13, 2008.

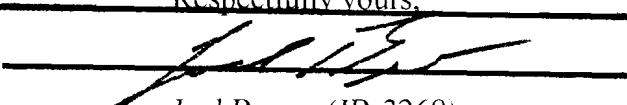
The present case Management Plan, So Ordered on October 9, 2007, calls for all discovery to be completed by February 11. Since this adjournment request affects case scheduling, the parties jointly request, as required by ¶ 1 (E) of Your Honor's Individual Practices, that the date for completion of discovery also be adjourned to March 13, 2008.



cc: Hon. Kevin Nathaniel Fox  
United States Magistrate Judge

Jerome M. Smith, Esq.  
Assistant Corporation Counsel

Respectfully yours,

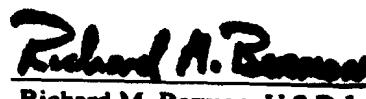
  
Joel Berger (IB-3269)

Attorney for Plaintiff

*Let's meet on 2/13/08  
as scheduled.*

SO ORDERED:

Date: 2/5/08

  
Richard M. Berman, U.S.D.J.